

REMARKS

Claims 1-39 are in this application.

In the office action Claims 1-3, 5-16, 19-36 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Application No. 10303840 to Kaneko in view of U.S. Patent No. 6,061,056 to Menard, et al. Claims 4, 17, 18, 37, and 38 are rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Kaneko and Menard, in further view of U.S. Patent No. 6,118,873 to Lotspiech, et al. In response, the rejection is respectfully traversed for at least the following reason.

In the office action the Examiner relies on Kaneko as teaching “a reception means for receiving a broadcasted content signal,” as recited in independent claim 1. Specifically the Examiner references element 3 of Fig. 2A described as a “Broadcast Content Storage Unit.” However, the Examiner is respectfully directed to the description of element 3 at Col. 5, ln. 45- Col. 6, ln. 9 where it is clarified that the supply of a signal “from the broadcast content reproducing machine 2 to the broadcast content storage apparatus 3” is prior to the actual “broadcast” of the signal. This same passage clarifies that the “broadcast” occurs only following supply of the signal from the buffer apparatuses to the output channels. Accordingly, element 3 of Kaneko relied upon by the Examiner receives a pre-broadcast signal not a “broadcasted” (past tense) signal as recited in the claim 1. Accordingly, it is respectfully submitted that the combination of Kaneko and Menard does not teach or suggest the elements of independent claim 1, therefore the rejection should be withdrawn and the claim allowed. For similar or somewhat similar reasons the rejections of independent claims 15, 34, and 39 should also be withdrawn and the claims allowed.

Similarly, it is respectfully submitted that Kaneko does not teach “a reception means for receiving a content request signal,” as recited in independent claim 16. Accordingly, it is respectfully submitted that independent claim 16 patentably distinguishes over the relied upon portions of Kaneko and Menard and is allowable, therefore the rejection should be withdrawn and the claims allowed. For similar or somewhat similar reasons the rejections of independent claims 29-33 should also be withdrawn and the claims allowed.

Further, independent claim 1 recites a “a control means for judging whether or not a specified content signal is stored in said memory means and, when it is judged that it is not stored, generating a content request signal for requesting said specified content signal.” (emphasis added). It is respectfully submitted that the “comparator” of Menard upon which the Examiner relies as teaching the “control means” of the claim 1 **does not** generate a content request signal. The Examiner cites to Fig. 2A, element 17 and the abstract of Menard as teaching the carrying out of a predetermined action. However, in contrast to Menard, where the device records “a segment of the program, when the [received] data matches the stored data,” the control means of claim 1 generates “a content request signal for requesting said specified content signal,” when it is judged that the content signal is **not** stored in the memory means. Accordingly, it is respectfully submitted that the combination of Kaneko and Menard does not teach or suggest the elements of independent claim 1, therefore the rejection should be withdrawn and the claim allowed. For similar or somewhat similar reasons the rejections of independent claims 15, 34, and 39 should also be withdrawn and the claims allowed.

Similarly, it is respectfully submitted that the combination of Kaneko and Menard does not teach or suggest a step of “transmitting said content request signal requesting said specified content signal...when it is judged that it is not stored,” as in claim 36. Accordingly, claim 36 is

patentably distinguished over the combination of Kaneko and Menard and is allowable, therefore the rejections should be withdrawn and the claims allowed.

Finally, it is submitted that the relied upon portions of Lotspeich fail to overcome the shortcomings of Kaneko and Menard discussed above.

Claims 2-14, 17-28, 35, 37, and 38 which depend from one of the independent claims discussed above should be allowed therewith.

The Examiner has apparently made of record, but not applied, several documents. The Applicants appreciate the Examiner's implicit finding that these documents, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

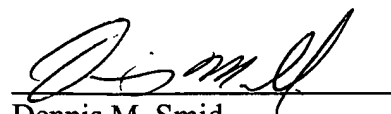
CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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